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MEMO ENDORSED

June 23, 2008

565 P.2

By Facsimile

Honorable Naomi Reice Buchwald
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

JUL - 3 2008

Re: Kingsley v. NYPD, et al.
07 CV 7629 (NRB)

Dear Judge Buchwald:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, assigned to represent the defendants the New York City Police Department ("NYPD"), the City of New York, Police Commissioner Raymond Kelly, and Deputy Inspector Vincent Guerriera (collectively "defendants") in the above-referenced action. I write in response to plaintiff's June 19, 2008 motion to compel production of documents against defendants.

Plaintiff claims that defendants have failed to provide her with responses to her document requests, "yet they expect plaintiff to do a deposition." However, defendants were served with plaintiff's first set of document requests on June 2, 2008, and were served with an additional document requests on June 18, 2008. On June 23, 2008 I discussed with plaintiff defendants' response to the requests, and she agreed to grant defendants until the end of July to respond to the requests. As such, plaintiff's motion to compel is premature. Further, although plaintiff expresses some concern over proceeding with her deposition at this time, defendants have not yet noticed plaintiff's deposition. In fact, when I spoke to plaintiff on June 23, I explained to plaintiff that defendants would not notice plaintiff for a deposition until after defendants had served her with responses to her document requests and she had time to review them. We discussed proceeding with her deposition in mid-August.

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Accordingly, because plaintiff had agreed to an extension of time for defendants to serve their responses to her requests, and in the process of preparing such response, plaintiff's motion to compel should be denied.

Thank you for your consideration of this request.

Respectfully submitted,


Joshua Fay
Assistant Corporation Counsel

So
ordered:
Naomi Reice Buchwald
USDC
7/10/08

cc: Sonja Kingsley
Plaintiff *pro se*
(By Overnight Mail)